

## KENTUCKY BOARD OF DENTISTRY

### LAW ENFORCEMENT COMMITTEE MEETING

June 13, 2008

#### CALL TO ORDER

The Law Enforcement Committee meeting was called to order at 9:00 a.m. A motion was made by Dr. Allen to go into closed session pursuant to KRS 61.810(1) (c) and (j). Dr. Boggess seconded the motion. All were in favor. A motion was made by Dr. Allen to come out of closed session. Dr. Boggess seconded the motion. All were in favor. A motion to adjourn was made by Dr. Boggess. Dr. Allen seconded the motion. The committee meeting adjourned at 5:00 p.m.

### LAW ENFORCEMENT COMMITTEE MEETING

July 25, 2008

#### CALL TO ORDER

The Law Enforcement Committee meeting was called to order at 9:30 a.m. A motion was made by Dr. Allen to go into closed session pursuant to KRS 61.810(1) (c) and (j). Dr. Boggess seconded the motion. All were in favor. A motion was made by Dr. Allen to come out of closed session. Dr. Boggess seconded the motion. All were in favor. A motion to adjourn was made by Dr. Boggess. Dr. Allen seconded the motion. The committee meeting adjourned at 4:15 p.m.

### EDUCATION COMMITTEE MEETING

July 26, 2008

#### CALL TO ORDER

The Education Committee meeting was called to order at 8:00 a.m. A motion was made by Dr. Allen to approve the Developmental Mini-Residency Program for 70 hours of C.E. Dianne Embry seconded the motion. All were in favor.

Dr. Allen made a motion to approve the Raymond Walters Dental Hygiene Anesthesia Course. Dr. Poynter seconded the motion. All were in favor.

Dianne Embry made a motion to approve the Dental Plaza Group radiography course for dental assistants. Dr. Allen seconded the motion. All were in favor. A motion to adjourn was made by Dianne Embry. Dr. Allen seconded the motion. The committee meeting adjourned at 8:20 a.m.

BOARD MEETING  
July 26, 2008

CALL TO ORDER

President David Narramore, D.M.D. called the meeting to order at 9:05 a.m.

ROLL CALL

Present Board members were David Narramore, D.M.D.; Hank Sleet, D.M.D., M.D.; Jim Allen, D.M.D.; William Boggess, D.M.D.; Dianne Embry, R.D.H.; Julie Gaskill, D.D.S.; Greg Vance, D.M.D., Susan M. King, D.M.D., and Allan Francis, Consumer Member. Staff present were Brian K. Bishop, Executive Director, Mark Brengelman, Board Attorney, Lisa A. Turner, Executive Staff Advisor, Sylvester Gurnell, Executive Secretary and Megan Allen, Administrative Specialist.

VISITORS WHO ADDRESSED THE BOARD

Jim L. Rousey, Jr. – Madison County Oral Health Program; Dr. Doyle Freano – Dental Design Lab Corporation; Melanie Peterson, D.M.D. and John Sauk, D.D.S., M.S., Dean – University of Louisville School of Dentistry; Fonda Robinson, D.M.D. – University of Kentucky College of Dentistry; Edward Carlson, D.D.S.; Jack Perkins, D.M.D. and Kathryn Sneed, D.M.D. – Class of 2008; Zeno W. St. Cyr, Maryland Board of Dentistry; Dr. Bruce Barrette and Dr. Steve Klein - CRDTS, ABDE; Barry Dorans, Attorney – SRTA; Phillip Elwood, Legal Counsel – CRDTS; Michael Slone – former Board Member; Wayne Looney – Arkansas Board Member; Kathleen White, Executive Director - SRTA; Dr. Bill Malone, Past President - SRTA; and Beth Casey, R.D.H.- SRTA Board of Directors.

APPROVAL OF MINUTES

Dr. Gaskill motioned that the Minutes of the May 10, 2008 Board Meeting be accepted. Dianne Embry seconded the motion. All were in favor.

Dr. Gaskill motioned that the Minutes of the May 17, 2008 Special Board Meeting be accepted. Dianne Embry seconded the motion. All were in favor.

COMMITTEE REPORTS

Well-Being Committee

Brian Fingerson presented the Well Being Report to the Board.

Education Committee

Dianne Embry motioned that the Developmental Dentistry Mini-Residency Program submitted by Dr. Henry Hood of the Underwood and Lee Clinic be approved for 70 category B continuing education hours. Dr. Sleet seconded the motion. All were in favor.

Dianne Embry motioned that the Raymond Walters College Dental Hygiene Program Anesthesia Course be approved for purposes of granting KRS 313.343 and 201 KAR 8:460 certification for administration of anesthesia by a hygienist. Allan Francis seconded the motion. All were in favor.

Dianne Embry motioned that the Plaza Dental Group Radiation Health Safety Course be approved for purposes of granting 201 KAR 8:130 radiography certification to dental assistants. Dr. Vance seconded the motion. All were in favor.

#### Credentials Committee

Dianne Embry motioned that a dental hygiene license by credentials be issued to Angela Barnes, Susan Dismukes, Tanya Drumm, Sarah Humm and Rami Nabors. Dr. Gaskill seconded the motion. All were in favor.

Dianne Embry motioned that a dental hygiene license by credentials be issued to Kelly Cook, pending receipt within six months of her specific plans to relocate to Kentucky, and in the event that Ms. Cook fails to accomplish the same, that she must begin the entire application by credentials process over from the beginning. Dr. Allen seconded the motion. All were in favor.

Dianne Embry motioned that a general dentistry license by credentials be issued to Joanna Cheung and William Records. Dr. Gaskill seconded the motion. All were in favor.

Dianne Embry motioned that a general dentistry license by credentials be issued to David Snipes, pending receipt of proof of successful completion of the Jurisprudence Exam. Dr. Sleet seconded the motion. All were in favor.

#### Law Enforcement Committee

Dr. Allen motioned that the closed case report be accepted. Dianne Embry seconded the motion. All were in favor.

07-67 and 07-107 Dr. Allen moved to accept the Settlement Agreement. Dianne Embry seconded the motion. All were in favor.

07-179 Dr. Allen moved to accept the Settlement Agreement. Allan Francis seconded the motion. All were in favor.

07-180 Dr. Allen moved to accept the Settlement Agreement. Dr. Sleet seconded the motion. All were in favor.

07-67 and 07-107 Dr. Allen moved to accept the Settlement Agreement. Dianne Embry seconded the motion. All were in favor.

07-124 Mark Brengelman announced the denturity case was resolved under previous Board direction.

07-41 A & B Dr. Allen moved to deny dental license reinstatement. Allan Francis seconded the motion. All were in favor.

08-73 Dr. Sleet moved for an immediate temporary suspension. Allan Francis seconded the motion. All were in favor.

07-133 Dr. Allen moved to file an Order to Compel Appearance at the Meeting for the Law Enforcement Committee. Dianne Embry seconded the motion. All were in favor.

08-38 Dr. Allen moved to file an Order to Compel Appearance at the Meeting for the Law Enforcement Committee. Dianne Embry seconded the motion. All were in favor.

08-91 B, C, & D Dr. Allen moved to file a Notice of Administrative Hearing and Order. Dr. Gaskill seconded the motion. All were in favor.

08-92 Dr. Allen moved to file a Notice of Administrative Hearing and Order. Dianne Embry seconded the motion. All were in favor.

07-164 Dr. Allen moved to file a Notice of Administrative Hearing and Order. Dr. Vance seconded the motion. All were in favor.

#### DIRECTOR'S REPORT

Mr. Bishop presented the year-end budget report for fiscal year 2008.

Mr. Bishop drew attention to the recent correspondence from the American Board of Pediatric Dentistry regarding the discontinuance of the term "Board Eligible." The specialty licensure process for Pedodontics in Kentucky does not currently utilize the term "Board-Eligible."

Mr. Bishop and Mr. Brengelman discussed the May 27, 2008 Executive Order "Relating to Standards of Ethical Conduct in the Executive Branch of state Government."

#### NEW BUSINESS

Jim L. Rousey, Jr. addressed the Board to discuss the success of the Madison County Health Department's "Oral Health Program."

Dr. Sleet moved to allow Dr. Doyle Freano to operate as supervisor for his commercial dental lab in lieu of a supervising Certified Dental Technician. Dr. Allen seconded the motion. All were in favor.

Dr. Sleet moved that the Board issue an Opinion and Declaratory Ruling stating that laser facial resurfacing by oral maxillofacial surgeons is within the scope of the specialty of oral and maxillofacial surgery. Dr. Gaskill seconded the motion. All were in favor.

The request for an Opinion and Declaratory Ruling on whether dental hygienists may use lasers to perform soft tissue curettage was tabled until the Board receives the written proposal addressing the same that Dr. Douglas McCall agreed to provide after the last

Board Meeting. Dianne Embry made an announcement that Access Magazine, a publication of the American Dental Hygienists Association, has agreed to retract and correct the erroneous statement made in the last issue that Kentucky allows the use of lasers by dental hygienists.

Dr. Vance made a motion that Mindy Mayo's request for an Order and Declaratory Ruling regarding cosmetic tattooing in a dental office is not within the scope of the Kentucky

Dental Practice Act and that the issue should be addressed by local health departments and under the regulation of tattoo parlors. Dr. Gaskill seconded the motion. All were in favor.

Michael Slone accepted his plaque presented in appreciation of his service to the Commonwealth during his past term as the Consumer Board Member. Chris Babcock, D.M.D., M.D. was also awarded a plaque commemorating his service during the last term as a Board Member, although he was not in attendance.

The Board considered the statements made by the following visitors regarding 201 KAR 8:220:

Melanie Peterson, D.M.D. - University of Louisville School of Dentistry  
John Sauk, D.D.S., M.S. - University of Louisville School of Dentistry Dean  
Fonda Robinson, D.M.D. - University of Kentucky College of Dentistry  
Edward Carlson, D.D.S. - WREB  
Jack Perkins, D.M.D. - Class of 2008  
Kathryn Sneed, D.M.D. - Class of 2008  
Zeno W. St. Cyr - Maryland Board of Dentistry  
Dr. Bruce Barrette - CRDTS, ABDE  
Dr. Steve Klein - CRDTS, ABDE  
Barry Dorans, Attorney - SRTA  
Phillip Elwood, Legal Counsel - CRDTS  
Michael Slone - former Kentucky Board Member  
Dr. Wayne Looney - Arkansas Board Member  
Kathleen White, Executive Director - SRTA  
Dr. Bill Malone, Past President - SRTA; and  
Beth Casey, R.D.H.- SRTA Board of Directors.

Dr. King made a motion to enact an emergency regulation to grant a dental license to the Class of 2008 students from University of Louisville and University of Kentucky who otherwise met all the requirements for Kentucky licensure by examination and who received an overall score of at least 75% on their clinical exam, but failed to meet the requirement of a 75% pass rate for each individual section; with the basis of the emergency being to protect the health and environment of Kentuckians by increasing their access to dental care. Allan Francis seconded the motion.

No others were in favor; therefore an individual verbal audit of votes were tallied:  
Dr. Gaskill voted no; Dianne Embry voted no; Dr. Boggess voted no;

Mr. Francis voted yes, Dr. Vance voted no; Dr. Allen voted no; Dr. Sleet voted no; and Dr. King Voted yes. The motion failed.

Dr. Narramore announced the SRTA voting members for Kentucky.

There being no further business, Dr. Vance motioned to adjourn at 6:00 p.m. Dr. Gaskill seconded the motion. All were in favor.

APPROVED:

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David Narramore, D.M.D.  
President

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Hank Sleet, D.M.D., M.D.  
Secretary - Treasurer